

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION – BAY CITY

**IN RE:**  
BOND, CAROLE L.,

**CASE NO. 14-21792**  
**CHAPTER 7**  
**HON. DANIEL S. OPPERMAN**

**Debtor.**

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**TRUSTEE’S MOTION TO SELL REAL PROPERTY PURSUANT  
TO 11 U.S.C. §363(b) AND FOR PAYMENT OF COSTS OF  
CLOSING**

The Chapter 7 Trustee, by and through her counsel, Collene K. Corcoran, hereby files this Motion to Sell Real Property Pursuant to 11 U.S.C. §363(b) and for Payment of Costs of Closing. The Trustee proposes to sell the Debtor’s one third interest in 40 acres of real property located at Tuscola County, Michigan, pursuant to 11 U.S.C. § 363(b), Bankruptcy Rules 2002 and 6004 and LBR 6004-1. In support of the Motion, the Trustee states as follows:

1. On August 6, 2014, the Debtor filed her voluntary Chapter 7 bankruptcy petition.
2. Collene K. Corcoran was appointed the interim trustee in this case. Since there was no election of a permanent trustee, Collene Corcoran became the permanent trustee in this case.
3. The first meeting of creditors was held and concluded on September 3, 2014.
4. The debtor is a one-third owner of 40 acres of vacant real estate currently leased as farmland located in Gilford Township, Tuscola County, Michigan (the “Real Estate”), listed on her Schedule A with a value of \$80,000, having the following legal description:

Property located in the Township of Gilford, County of Tuscola, State of Michigan, described as follows:

North one-half of the North one-half of the Northeast one-quarter of Section 15, Town 13 North, Range 7 East, containing 40 acres, more or less.

Tax Parcel Id No. 79012-015-000-200-00

5. The Debtor is the one-third owner of the Real Estate, with her two sisters, Pamela K. Duane and Beverly A. Kosik, and the sellers of the Real Estate shall be the bankruptcy estate of Carole Bond, Pamela K. Duane, and Beverly A. Kosik.
6. Upon information and belief, there are no liens on the Real Estate.
7. The Real Estate is being sold to Larry Starkey for the total sum of \$280,000, each owner (including the Debtor's estate) receiving one-third of the net proceeds after payment of closing costs and fees. The Real Estate is being sold for fair market value based on a recent appraisal.
8. The sale shall be as is, with no warranties of any kind except for warranty of title.
9. The parties agree that the Title Company shall issue 3 separate 1099 forms to the sellers, and for the estate, the tax identification shall be the EIN for the Estate of Carole Bond.
9. The sellers, including the Trustee, proposes to pay all usual and customary costs of sale at closing, including any and all pro-rated taxes and all closing expenses reasonably necessary to complete the sale.
10. The Trustee believes the sale is in the best interests of creditors.

WHEREFORE, the Chapter 7 Trustee, Collene K. Corcoran, respectfully requests that this Court enter an Order authorizing the sale under the terms proposed herein.

Respectfully submitted,

Dated: January 8, 2015

/s/ Collene K. Corcoran  
Collene K. Corcoran (P41500)  
Attorney for Chapter 7 Trustee  
PO Box 535  
Oxford, MI 48371  
(248) 969-9300  
trusteecorcoran@gmail.com

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION – BAY CITY

**IN RE:**  
**BOND, CAROLE L.,**

**Debtor.**

**CASE NO. 14-21792**  
**CHAPTER 7**  
**HON. DANIEL S. OPPERMAN**

**ORDER GRANTING TRUSTEE'S MOTION TO SELL REAL PROPERTY  
PURSUANT TO 11 U.S.C. §363(b) AND FOR PAYMENT OF  
COSTS OF CLOSING**

This matter having come before the Court on the Trustee's Motion to Sell Real Property of the Debtor and there being no objection to the Motion or all objections being resolved;

**IT IS ORDERED** that the Trustee is authorized to sell the debtor's one third interest in the real property located in Gilford Township, Tuscola County, Michigan, pursuant to 11 U.S.C. §363(b), said property legally described as follows:

Property located in the Township of Gilford, County of Tuscola, State of Michigan, described as follows:

North one-half of the North one-half of the Northeast one-quarter of Section 15, Town 13 North, Range 7 East, containing 40 acres, more or less.

Tax Parcel Id No. 79012-015-000-200-00

**IT IS FURTHER ORDERED** that the Sellers of the real property are the Trustee, Pamela K. Duane and Beverly A. Kosik, and that each seller shall receive the one-third net proceeds from the sale at closing, approximately \$93,000, after payment of usual and customary closing costs.

**IT IS FURTHER ORDERED** that the Title Company shall issue three separate 1099 forms to each seller, allocating one-third of the proceeds to each seller; the Title Company shall use the tax identification number of the Bankruptcy Estate of Carole Bond for the 1099 form issued to the estate.

**IT IS FURTHER ORDERED** that the Trustee is authorized to pay, at closing, the

estate's allocated one third of the usual and customary costs associated with closing, such as prorated taxes, title fees, appraisal fees, and other related costs reasonably necessary to close the sale.

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IN RE:  
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CASE NO. 14-21792  
CHAPTER 7  
HON. DANIEL S. OPPERMAN

Debtor.

**NOTICE OF TIME TO RESPOND TO  
TRUSTEE'S MOTION TO SELL REAL PROPERTY PURSUANT TO 11 U.S.C. §363(b)**

Chapter 7 Trustee, Collene K. Corcoran, has filed papers with the Court to sell the debtor's one-third interest in 40 acres of vacant real property used as farmland located in Gilford Township, Tuscola County to Mr. Larry Starkey. The sale is a cash sale, with no warranties or representations of any kind except as to title. There are no liens on the property. The net sale proceeds, after payment of all closing costs, shall be divided equally between the Debtor and her sisters, the other two owners of the property. Thus the bankruptcy estate will receive the net sum of approximately \$93,000, less usual and customary closing costs. The Debtor did not take an exemption in the real estate but the Trustee expects that after all creditors are paid in full with interest, and any taxes owed by the estate, that there may be a surplus of funds paid to the debtor. The Trustee believes this sale is in the best interest of creditors.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

If you do not want the court to authorize the Trustee's Motion to Sell Real Estate, or if you want the Court to consider your views on the motion, **within 21 days after service of this Notice**, you or your attorney must:

1. File with the Court a written response or an answer, explaining your position at:<sup>1</sup>

**United States Bankruptcy Court  
111 First Street  
Bay City, MI 48708**

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to:

**Collene K. Corcoran, Trustee  
PO Box 535  
Oxford, MI 48371**

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

**If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion, and may enter an order granting the relief.**

Dated: January 8, 2015

Respectfully submitted,

/s/ Collene K. Corcoran  
Collene K. Corcoran (P41500)  
Attorney for Chapter 7 Trustee  
PO Box 535  
Oxford, MI 48371  
(248) 969-9300  
trusteecorcoran@gmail.com

<sup>1</sup> Response or answer must comply with F.R.Civ.P. 8(b), (c) and (e)

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Debtor.

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**PROOF OF SERVICE**

I certify that on January 8, 2015, I electronically filed the **TRUSTEE’S MOTION TO SELL REAL PROPERTY OF THE DEBTOR PURSUANT TO 11 U.S.C. §363(b), NOTICE OF TIME TO RESPOND TO TRUSTEE’S MOTION TO SELL REAL ESTATE, AND PROOF OF SERVICE** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Office of the United States Trustee

Alan D. Walton  
[alandwalton@sbcglobal.net](mailto:alandwalton@sbcglobal.net)

and I hereby certify that on January 8, 2015, I have mailed by U.S. Postal Service the **NOTICE OF TIME TO RESPOND TO TRUSTEE’S MOTION TO SELL REAL ESTATE OF DEBTOR** to the following parties:

all those on the attached matrix  
via first class US mail, postage prepaid.

/s/ Collene K. Corcoran  
Collene K. Corcoran (P41500)  
PO Box 535  
Oxford, MI 48371  
(248) 969-9300  
[trusteecorcoran@gmail.com](mailto:trusteecorcoran@gmail.com)

Label Matrix for local noticing  
0645-1  
Case 14-21792-dob  
Eastern District of Michigan  
Bay City  
Sat Jan 3 15:10:44 EST 2015  
  
Blue Care Network of Michigan  
PO Box 68767  
Grand Rapids, MI 49516-8767

Frankenmuth Credit Union  
P.O. Box 209  
Frankenmuth, MI 48734-0209

Alan D. Walton, Esq  
8070 Main, PO Box 489  
Birch Run, MI 48415-0489

Bonnie Toskey  
601 North Capitol  
Lansing, MI 48933-1211

CAVALRY SPV I, LLC  
Bass & Associates, P.C.  
3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712-1083

Capl/mnrds  
Po Box 30253  
Salt Lake City, UT 84130-0253

Capital Recovery V, LLC  
c/o Recovery Management Systems Corporat  
25 SE 2nd Avenue Suite 1120  
Miami FL 33131-1605

Carole L Bond  
8330 Busch Road  
Birch Run, MI 48415-8548

Chase  
Po Box 15298  
Wilmington, DE 19850-5298

Comenity Bank/Dress Barn  
Attention: Bankruptcy  
P.O. Box 182686  
Columbus, OH 43218-2686

Community State Bank  
207 S. Saginaw St  
St Charles, MI 48655-1428

Community State Bank  
P.O. Box 0188  
Montrose, MI 48457-0188

Discover Bank  
DB Servicing Corporation  
PO Box 3025  
New Albany, OH 43054-3025

Discover Fin Svcs Llc  
Po Box 15316  
Wilmington, DE 19850-5316

Frankenmuth Credit Uni  
Po Box 209  
Frankenmuth, MI 48734-0209

GECRB/Meijer  
Attn: Bankruptcy  
PO Box 103104  
Roswell, GA 30076-9104

Gemb/walmart  
Attn: Bankruptcy  
PO Box 103104  
Roswell, GA 30076-9104

Larry Starkey  
8395 W. Dutcher Rd  
Fairgrove, MI 48733-9728

Michael A Mason, Trustee  
516 Court Street  
Flint, MI 48503-5025

Pnc Bank  
6750 Miller Rd  
Brecksville, OH 44141-3239

Quantum3 Group LLC as agent for  
MOMA Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

Synch/care Credit  
C/o Po Box 965036  
Orlando, FL 32896-0001

Tuscola Bay Wind  
c/o NextEra Energy  
700 Universal Blvd, LAW/JB  
Juno Beach, FL 33408-2657

Alan D. Walton  
Breckenridge & Associates  
8070 Main Street  
Box 489  
Birch Run, MI 48415-9297

Collene K. Corcoran  
P.O. Box 535  
Oxford, MI 48371-0535

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.



(d)Carole L Bond  
8330 Busch Road  
Birch Run, MI 48415-8548

End of Label Matrix	
Mailable recipients	25
Bypassed recipients	1
Total	26